

INVITATION FOR BIDS (IFB) NO. 97-088

TO

FURNISH AND DELIVER

FISH CULTURE TANKS

FOR THE

COLLEGE OF AGRICULTURE

UNIVERSITY OF HAWAII AT HILO

HILO, HAWAII

MAY, 1997

BOARD OF REGENTS

UNIVERSITY OF HAWAII

HONOLULU, HAWAII

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College of Agriculture, University of Hawaii at Hilo, Hilo, Hawaii

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**IT IS THE RESPONSIBILITY OF ALL BIDDERS TO CHECK THE TABLE OF CONTENTS  
TO CONFIRM THAT ALL PAGES LISTED THEREIN ARE CONTAINED IN THEIR BID  
PACKAGE.**

**REMINDER:**

Submit Tax Clearance Certificate or OPPRM Form 128, CERTIFICATION  
FOR TAX CLEARANCE with bid.

## NOTICE TO BIDDERS

BID FORMS for IFB No. 97-088, Fish Culture Tanks, University of Hawaii at Hilo, will be available from and received in the OFFICE OF PROCUREMENT, PROPERTY AND RISK MANAGEMENT, UNIVERSITY OF HAWAII, 1400 LOWER CAMPUS ROAD, ROOM 15, HONOLULU, HAWAII 96822, (an unofficial copy of the IFB is available on the Internet at <http://www.state.hi.us/bids/notice01.htm>) and must be submitted no later than 2:30 p.m., June 4, 1997, and at that time will be publicly opened.

Bids received after the time and date fixed for opening will not be considered.

Vendors located outside the Island of Oahu, Hawaii, USA, may request an official copy of the IFB by providing the vendor's name, address, contact person, telephone number, facsimile number, and an account number, billable to the receiver, for express shipment. Requests may be submitted via facsimile, (808) 956-2093. Direct all questions to Joyce Teraoka, (808) 956-7977.

Kenneth P. Mortimer  
President, University of  
Hawaii and Chancellor,  
University of Hawaii at Manoa

Advertised: Honolulu Advertiser  
Issue of: May 21, 1997

NOTICE TO BIDDERS

OPPRM FORM 115

BUSINESS CLASSIFICATION CERTIFICATION STATEMENT

(See Official Document)

BID FORM  
TO  
FURNISH AND DELIVER  
FISH CULTURE TANKS

Office of Procurement, Property  
and Risk Management  
University of Hawaii  
1400 Lower Campus Road, Room 15  
Honolulu, Hawaii 96822

To Whom It May Concern:

The undersigned has carefully examined the INVITATION FOR BIDS (IFB) NO. 97-088, TO FURNISH AND DELIVER FISH CULTURE TANKS FOR THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII AT HILO, HILO, HAWAII, and offers to furnish and deliver the tanks to the University of Hawaii at Hilo, College of Agricultural Farm, Ikaika Street/Volcano Highway, Hilo, Hawaii 96720, in strict accordance with the true intent and meaning of the Invitation for Bids (IFB) and shall complete delivery within NINETY (90) consecutive calendar days from the date designated in the Notice to Proceed, as follows:

BASIC BID

<u>Description</u>	<u>Qty.</u>	<u>Unit Price</u>	<u>Total Amount</u>
Fish Culture Tanks, as per Technical Specifications	6	\$_____	\$_____

Manufacturer and Model No. Offered

\_\_\_\_\_

Prices shall be f.o.b. destination, including all applicable taxes.

Prices must be valid through July 31, 1997.

The University reserves the right to increase or decrease the quantity contingent upon availability of funds, and the Contractor agrees to furnish and deliver the additional or decreased quantity at the unit price quoted herein.

Bidder is offering: \_\_\_\_ recycled product \_\_\_\_ non-recycled product  
See General Provision 3.1e, RECYCLED PRODUCTS PREFERENCE.

### TAX LIABILITY

Both out-of-state and Hawaii bidders are advised that the amount bid on this solicitation is subject to the general excise tax (currently 4%) imposed by Chapter 237, Hawaii Revised Statutes (HRS) and, if tangible property is being imported into the State of Hawaii for resale, the use tax (currently 1/2%) imposed by Chapter 238, HRS. (Refer to Tax Clearance in the Special Provisions and Taxes in the General Provisions.) Bidders are therefore cautioned to consider such taxes in formulating their bids since no adjustments to the prices bid shall be allowed.

### BASIS FOR AWARD

The award of contract, if awarded, shall be made to the lowest responsive and responsible bidder on the **BASIC BID**.

### NOTE TO BIDDERS

An acceptable bid must conform in all material respects to this Invitation for Bids. Any of the following may be grounds for disqualification:

1. Taking exception to any of the specifications, terms or conditions contained in the IFB.
2. Placing conditions on the furnishing of solicited goods or services.
3. Inclusion of a quotation or order form containing additional specifications, terms or conditions.
4. Referencing external documents containing additional specifications, terms or conditions.

Bidders are advised that bids are evaluated as submitted and requests by bidders to delete conditions contained in their bids after bid opening cannot be considered.

In the event that the undersigned is awarded this contract and its remittance address differs from the address shown on page BID - 4, please indicate remittance address below:

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Street Address or P. O. Box

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City                      State                      Zip Code

CERTIFICATION OF RECYCLED CONTENT

(See Official Document)

SIGNATURE PAGE  
(See Official Document)



CERTIFICATION FOR TAX CLEARANCE

RE: IFB No.: \_\_\_\_\_

Project/Title: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that I have submitted a State and IRS tax clearance application (DOTAX Form A-6) by mail on \_\_\_\_\_,

(date)

and have not received an original or certified copy at the time I submitted this offer.

Upon receipt of a tax clearance, I will immediately send an original or certified copy by mail to:

Office of Procurement, Property  
and Risk Management  
University of Hawaii  
1400 Lower Campus Road, Room 15  
Honolulu, Hawaii 96822

Signature (Original): \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

## TECHNICAL SPECIFICATIONS

This section indicates the Technical Specifications for the fish culture tanks required. The Technical Specifications listed herein are the minimum requirements and are mandatory for an accepted bid.

Furnish and deliver SIX (6) Fish Culture Tanks, each with the following specifications:

a. Shall be made of Plastic **or** Fiberglass:

Plastic tank - Constructed of high density polyethylene (HDPE)  
Thickness shall be at least 120 mil.  
Two inch diameter HDPE top ring  
Four inch center drain

Fiberglass tank - Shall be equivalent or better than tanks constructed by Red Ewald, Inc. (Karnes City, Texas) or Gemini Pools, Inc. (Lakewood, Colorado)

b. Shall be free standing

c. Tanks with separate plastic liners are NOT acceptable

d. Shall be 18 feet in diameter

e. Shall be 42" to 48" in Total Height

f. Shall be completely constructed;

**or**

if delivered unassembled, all materials shall be provided and assembly shall be possible with unskilled labor using hand tools

All questions pertaining to the Technical Specifications shall be directed to Kevin Hopkins, Associate Professor of Aquaculture, telephone (808) 974-7393 (Hilo).

**Bidders are cautioned to review the Technical Specifications carefully and thoroughly. Objections to or requests for clarification of the specifications shall be made in writing in accordance with the General Provisions to the Office of Procurement, Property and Risk Management prior to the submittal of a bid. The submittal of a bid shall be considered as acceptance of the specifications as published.**

## SPECIAL PROVISIONS

### 1. SCOPE

The Furnishing and Delivery of the Fish Culture Tanks shall be in accordance with the terms and conditions of IFB No. 97-088 and the General Provisions dated February 23, 1996 included by reference. Copies of the General Provisions are available at the Office of Procurement, Property and Risk Management, University of Hawaii, 1400 Lower Campus Road, Room 15, Honolulu, Hawaii 96822 or the General Provisions may be viewed at:  
<http://www.state.hi.us/bids/notice03.htm>

### 2. TECHNICAL REPRESENTATIVE OF THE PROCUREMENT OFFICER (TRPO)

The Technical Representative of the Procurement Officer is Kevin Hopkins, Associate Professor of Aquaculture, telephone (808) 974-7393 (Hilo).

### 3. SUBMITTAL OF TECHNICAL DATA

With their bids, bidders shall submit, in duplicate, manufacturer's literature or brochures with technical data and illustrations of the fish culture tanks being offered.

### 4. DELIVERY

Prior to delivery, the Contractor shall contact the Technical Representative to coordinate delivery of the fish culture tanks.

### 5. MANUALS AND ASSEMBLY INSTRUCTIONS

The Contractor shall provide the University with maintenance manuals and assembly instructions (if assembly is required), for the fish culture tanks furnished under this contract.

### 6. WARRANTY

The equipment furnished shall be new and as specified. The Contractor shall warrant that all workmanship and materials of equipment furnished under this contract shall be guaranteed for a minimum period of TWO (2) years from the date of acceptance. The Contractor shall replace and/or repair any defective workmanship and/or materials at no cost to the University during the period of warranty (including freight and all associated costs), provided such defects are not due to abuse or negligence on the part of the University.

7. PAYMENT

The Contractor shall be remunerated upon submission of a properly executed original invoice and ONE (1) copy, indicating the contract number, to the University of Hawaii at Hilo Business Office, 523 W. Lanikaula Street, Hilo, Hawaii 96720-4091, no later than THIRTY (30) calendar days following submission of invoice or the acceptance of fish culture tanks.

8. ACCEPTANCE OF OFFER

General Provision 3.2 entitled Acceptance of Offer, is hereby deleted and shall be replaced by the following:

ACCEPTANCE OF OFFER

Acceptance of offer, if any, will be made **by July 31, 1997**, and the prices quoted by the offeror shall remain firm **through July 31, 1997**. Unless otherwise provided, each individual item or group of items will be awarded to the responsive and responsible offeror whose offer complies with all the solicitation requirements. In determining the responsive and responsible offeror, offers will be evaluated not only on the amounts thereof, but on all factors relating to the satisfactory performance of the contract. Products must be of a quality and nature that will meet the needs and purposes of the intended use and must conform to all requirements prescribed in the specifications. The offeror must have the ability to perform as called for in the contract terms. The University shall be the sole judge of product or vendor capability. The successful vendor will be notified by letter that the offer has been accepted and that the vendor is being awarded the contract.

If the offer is rejected or if the vendor to whom the contract was awarded fails to enter into the contract and furnish satisfactory security, if applicable, the University may thereupon, at its discretion, award the contract to the next lowest or remaining responsible offeror or may publish another call for offers; provided in the case of only one remaining responsible offeror, the Procurement Officer may negotiate with such offeror to reduce the scope of work, if available funds are exceeded, and to award the contract at a price which reflects the reduction in the scope of work.

The Procurement Officer further reserves the right to cancel the contract award at any time prior to execution of said contract by all parties, without any liability to the awardee and to any other offeror.

9. TAX CLEARANCE FOR CONTRACTS

In accordance with Section 103-53, HRS, bidders shall submit with their bid packages, original tax clearances from the State of Hawaii Department of Taxation and the Internal Revenue Service. In the event bidders are unable to obtain a tax clearance by mail in time to include it with their bid packages, bidders may submit a completed OPPRM Form 128, CERTIFICATION FOR TAX CLEARANCE, in place of the DOTAX Form A-6, with their bid packages. However, an original tax clearance must be provided before contract award. Tax clearances obtained shall certify that all tax returns due have been filed, and all taxes, interest, and penalties levied or accrued under the provisions of Title 14 that are administered by the State of Hawaii Department of Taxation and under the Internal Revenue Code against the bidder, have been paid. This shall apply to all contracts, whether with Hawaii bidders, out-of-state bidders, or nonprofit organizations.

This shall not apply to bidders if the State of Hawaii Department of Taxation certifies that the bidder is in good standing under a plan in which delinquent taxes are being paid to the State of Hawaii Department of Taxation (and the Internal Revenue Service, if applicable) in installments.

Offers that are not accompanied by original tax clearances or OPPRM Form 128, CERTIFICATION FOR TAX CLEARANCE, may be considered as non-responsive and may be rejected.

Any questions pertaining to tax clearances may be addressed to the following:

- a. Internal Revenue Service, Compliance Division - LTC  
300 Ala Moana Boulevard, #50089  
Honolulu, Hawaii 96850-4922  
Telephone No.: (808) 541-1160
- b. Department of Taxation  
State of Hawaii  
Oahu District Office  
P.O. Box 259  
Honolulu, Hawaii 96808-0259  
Telephone No.: (808) 587-4242  
Toll-Free: 1-800-222-3229

10. TAX CLEARANCE FOR FINAL PAYMENT

General Provision 7.2 entitled Tax Clearance, is hereby deleted and shall be replaced by the following:

#### TAX CLEARANCE FOR FINAL PAYMENT

In accordance with Section 103-53, HRS, final payment for the settlement of the contract will not be made by the University until the Contractor has submitted to the University original tax clearances from the State of Hawaii Department of Taxation and the Internal Revenue Service. Tax clearance shall certify that all tax returns due have been filed, and all taxes, interest, and penalties levied or accrued under the provisions of Title 14 that are administered by the State of Hawaii Department of Taxation and under the Internal Revenue Code against the Contractor have been paid.

Notwithstanding Sections 40-57 and 40-58, HRS, if a Contractor fails to provide the original tax clearances within SIX (6) months of the notice of final settlement or completion date of the contract, the University shall assign the final settlement payment in an amount not to exceed the tax liability to the State of Hawaii Department of Taxation or Internal Revenue Service, provided that the State of Hawaii Department of Taxation may first offset its tax debt against the sum owed to the Contractor. This shall apply to all contracts whether with Hawaii vendors, out-of-state vendors, or nonprofit organizations.

The foregoing shall not apply to the Contractor if the State of Hawaii Department of Taxation certifies that the Contractor is in good standing under a plan in which delinquent taxes are being paid to the State of Hawaii Department of Taxation (and the Internal Revenue Service, if applicable) in installments.

Any questions pertaining to tax clearances may be addressed to the following:

- a. Internal Revenue Service, Compliance Division - LTC  
300 Ala Moana Boulevard, #50089  
Honolulu, Hawaii 96850-4922  
Telephone No.: (808) 541-1160
- b. Department of Taxation  
State of Hawaii  
Oahu District Office  
P.O. Box 259  
Honolulu, Hawaii 96808-0259  
Telephone No.: (808) 587-4242  
Toll-Free: 1-800-222-3229